

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:05CR00524 SNL (AGF)
)	
WILLIAM MILLER,)	
)	
Defendant.)	

**ORDER REGARDING DEFENDANT’S MENTAL
COMPETENCY AND SANITY AT THE TIME OF THE OFFENSE**

This matter came before the Court on the motion of Defendant William Miller for an examination pursuant to 18 U.S.C. §§ 4241(a) and 4242, to determine the mental competency of Defendant to understand the nature and consequences of the proceedings and assist properly in his defense, and to determine whether Defendant was suffering from any mental disease or defect at the time of the offense. An examination was ordered pursuant to 18 U.S.C. §§ 4241(b), 4242, and 4247, and Defendant was transported for that evaluation to the Federal Bureau of Prisons Metropolitan Detention Center in Los Angeles, California (the “Medical Center”).

A forensic evaluation dated March 13, 2006 (the “Medical Report”), was completed pursuant to 18 U.S.C. § 4247(b) and (c), and was forwarded to the Court on March 17, 2006. (Dkt. No. 24, filed under seal). The Medical Report was signed by Ralph Ihle, Ph.D., Chief/Forensic Psychologist, and Lisa Hope, Psy.D., Forensic Psychologist, and concluded that Defendant was able to understand the nature and

consequences of the court proceedings against him and to cooperate and assist counsel in his defense. The Medical Report further concluded that “there was no objective evidence to indicate that Mr. Miller suffered from an underlying mental disorder that rendered him unable to appreciate the nature, quality or wrongfulness of his behavior at the time of the offense.”

On March 22, 2006, a hearing was held pursuant to 18 U.S.C. § 4247(d). Defendant was present and represented by his attorney, Assistant Federal Public Defender Thomas F. Flynn. The government was represented by Assistant United States Attorney Roger Keller A. Keller, Jr. Neither party had any objections to the Medical Report, and counsel for Defendant, having discussed the matter with Defendant, represented that he did not believe there was a need for any further testing or evaluation. Defense counsel further represented that he believed that Defendant was able to assist in his defense. Having reviewed the report of Dr. Ihle, in which he concludes (1) Defendant is able to understand and appreciate the nature and consequences of the proceeding and to assist properly in his own defense, and (2) Defendant was not suffering from any mental disease or defect at the time of the offense charged that might provide a defense of insanity, and having previously observed Defendant in prior proceedings before this Court,

The undersigned hereby finds, pursuant to 18 U.S.C. §§ 4241(a) and (d), that Defendant William Miller is mentally competent to stand trial and is able to understand the nature and consequences of the proceedings and to assist properly in his own defense;

The undersigned further finds, pursuant to 18 U.S.C. §§4241(d) and 4242, that there is no objective evidence to suggest that Defendant was incompetent or insane at the time of the offense charged.



AUDREY G. FLEISSIG
United States Magistrate Judge

Dated this 22th day of March, 2006.